

HOUSE No. 2900

By Mr. DeFilippi of West Springfield, petition of Walter A. DeFilippi and others that provision be made for judicial discretion in applying triple damages relative to security deposits. Commerce and Labor.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Seven.

AN ACT PROVIDING FOR JUDICIAL DISCRETION IN APPLYING TRIPLE DAMAGES PERTAINING TO SECURITY DEPOSITS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 186, Section 15B (7) as written is deleted and the
2 following substituted in its place: (7) (a) If the lessor or his agent
3 fails to comply with clauses (a), (d), or (e) of subsection 6, the
4 tenant may be awarded damages, at the discretion of the court,
5 up to an amount equal to three times the amount of said security
6 deposit or balance thereof to which the tenant is entitled plus
7 interest at the rate of five percent from the date of said payment
8 became due, together with court costs. Attorneys' fees may be
9 awarded if the court finds intent on the part of the owner.

10 (b) In a case where a tenant contests the amount of a security
11 deposit deduction, and the owner has complied with this statute,
12 only ordinary damages shall be awarded.

By the Committee on Ways and Means of the House of Representatives, report on the bill (H. R. 1980) to amend the Internal Revenue Code of 1954 to provide for the payment of interest on unpaid taxes, and for other purposes.

THE COMMITTEE ON WAYS AND MEANS

OF THE HOUSE OF REPRESENTATIVES

AS SET FORTH IN REPORT NO. 1980 OF THE COMMITTEE ON WAYS AND MEANS OF THE HOUSE OF REPRESENTATIVES

AND RECOMMENDATIONS THEREON TO THE HOUSE OF REPRESENTATIVES

- 1 Chapter 111, Section 135 (f) as written is amended and the
- 2 following substituted in its place (7) in the case of the estate
- 3 of a decedent who dies on or after the date of enactment of this
- 4 Act and who is a resident alien, as the decedent of the estate,
- 5 (a) if the decedent is a resident alien, as the decedent of the estate,
- 6 (b) if the decedent is a resident alien, as the decedent of the estate,
- 7 (c) if the decedent is a resident alien, as the decedent of the estate,
- 8 (d) if the decedent is a resident alien, as the decedent of the estate,
- 9 (e) if the decedent is a resident alien, as the decedent of the estate,
- 10 (f) if the decedent is a resident alien, as the decedent of the estate,
- 11 (g) if the decedent is a resident alien, as the decedent of the estate,
- 12 (h) if the decedent is a resident alien, as the decedent of the estate.